

COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

February 2, 2007

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In the Matter of  
Elly Homes, LLC

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Docket No. 2006-171  
File No. PAN-CE-9006-2  
Scituate

**FINAL DECISION**

I have reviewed the attached Settlement Agreement by Administrative Consent Order with Penalty and Notice of Noncompliance signed by Charles Kady, Manager of the petitioner Elly Homes, LLC on January 31, 2006<sup>1</sup>, and by Martin Suuberg, on behalf of the Department on February 1, 2007 (ACOP-CE-07-Z002-2-SETT).

In accordance with the terms of paragraph 14 and 22 of the Settlement Agreement, the petitioner is ordered to pay a civil administrative penalty of eight thousand two hundred dollars (\$8,200) within 30 days of the date of this Final Decision.

The Department issues this Final Decision incorporating the Settlement Agreement. Under the terms of 310 CMR 1.01(8)(c), these proceedings are dismissed with the parties waiving whatever rights they may have to further administrative review before the Department as well as appeal to court.

*This final document copy is being provided to you electronically by the  
Department of Environmental Protection. A signed copy of this document  
is on file at the DEP office listed on the letterhead.*

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Arleen O'Donnell  
Acting Commissioner

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<sup>1</sup> I assume the date Mr. Kady signed was January 31, 2007, and not 2006.

